

REMARKS

The Notice of Non-Compliant Amendment dated May 31, 2005 has been carefully reviewed and the foregoing amendment is in consequence thereof. This response re-submits the amendment filed on April 1, 2005.

Claims 1-20 are now pending in this application. Claims 3, 6, and 10-20 are withdrawn from consideration. Claims 4-5 are objected to. Claims 1, 2, and 7-9 stand rejected.

The rejection of Claims 1, 2, and 7-9 under 35 U.S.C. § 102(b) as being anticipated by Kobos et al (U.S. Patent No. 5,571,276) ("Kobos") is respectfully traversed.

Kobos describes a retaining means for securing a front panel (12) on a dishwasher door (14). The door includes a frame (16) surrounding the front panel, a control panel (18) positioned along the top of the door and lower access panel (20) positioned below the door. The frame includes vertical side grooves (22) and a top groove (24) that receive side and top edges of the panel, respectively. A corrugated spacer panel (36) is positioned behind the front panel. Edges of the spacer panel extend into the side grooves and top grooves of the frame. A bottom edge (30) of the panel is secured in position by a retainer strip (32). The retainer strip is held in position by an elongated channel member (34) which is secured to the bottom of the frame and extends horizontally across the bottom of the door. The channel member includes a channel portion (1036) to receive the retainer strip. The channel member also includes a back portion (1038) that is sandwiched between the frame and the spacer.

Applicants respectfully submit that Kobos does not anticipate the presently pending claims. The present invention relates to an escutcheon that provides a control panel mounting surface and that provides a guide surface for engaging a panel. In contrast, Kobos describes a retention mechanism that can be used to retain the lower edge of a door panel for a dishwasher. In the Kobos dishwasher, it is mentioned only in passing that a control panel is positioned along the top of the door.

Claim 1 recites an escutcheon for an appliance door assembly, wherein the escutcheon includes “a front edge and a rear edge horizontally spaced from said front edge, said front and rear edges vertically depending from an escutcheon upper surface; a control panel mounting surface comprising a lower edge, said control panel mounting surface extending upwardly and inwardly from said lower edge and between said front and rear edges, said control panel mounting surface including a plurality of openings therethrough; and a plurality of formations downwardly depending from said lower edge and defining a retaining slot, said retaining slot configured to receive an upper edge of a panel on the appliance door”.

Kobos does not describe or suggest an escutcheon as recited in Claim 1. More specifically, Kobos does not describe or suggest a control panel mounting surface that includes a plurality of openings therethrough. Rather, in contrast to the present invention, Kobos describes a channel member (34) that extends across the bottom of a dishwasher door. Rather than providing a control panel mounting surface, the channel member receives a retaining strip (32) to secure the bottom edge of the front panel of the door. The channel member includes no openings as would typically be provided in a control panel mounting surface. Furthermore, Kobos does not describe or suggest a plurality of formations downwardly depending from the lower edge and defining a retaining slot, wherein the retaining slot is configured to receive an upper edge of a panel on the appliance door. Rather, neither of the formations alluded to in the Examiner’s Exhibit A are shown as downwardly depending from a lower edge, and further, the retaining slot in the Examiner’s Exhibit A is shown receiving a bottom edge of the door frame as opposed to an upper edge of the door panel.

Accordingly, for the reasons set forth above, Claim 1 is submitted to be patentable over Kobos..

Claim 2 depends from independent Claim 1. When the recitations of Claims 2 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 2 likewise is patentable over Kobos.

Claim 7 recites an escutcheon for a dishwasher door assembly, the escutcheon including “a lower edge and a plurality of formations depending therefrom, each formation comprising a guide surface formed at an acute angle with said lower edge, said guide surface defining a retaining slot, said guide surface defining a panel engagement portion, and said retaining slot configured to receive an upper edge of a panel on the dishwasher door”.

Kobos does not describe or suggest an escutcheon as recited in Claim 7. More specifically, Kobos does not describe or suggest a retaining slot that is configured to receive an upper edge of a panel on the dishwasher door. Rather, in contrast to the present invention, Kobos describes a channel member (34) that extends across the bottom of a dishwasher door that receives a retaining strip (32) to secure the bottom edge of the front panel of the door. The retaining slot in the Examiner’s Exhibit B is shown receiving a T-shaped projection (42) on the retaining strip rather than an upper edge of the door panel. Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over Kobos.

Claims 8 and 9 depend from independent Claim 7. When the recitations of Claims 8 and 9 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claims 8 and 9 likewise are patentable over Kobos.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 2, and 7-9 be withdrawn.

The objection to Claims 4-5 is respectfully traversed.

Applicants thank the Examiner for the indication of allowable subject matter in dependent Claims 4-5. Applicants submit, however, that Claims 4-5 depend from Claim 1 which is submitted to be patentable over the cited art for the reasons set forth above, and that Claims 4-5 are likewise patentable.

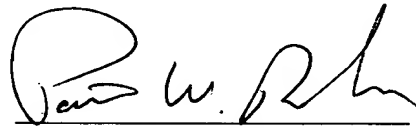
Accordingly, Applicants respectfully request that the objection to Claims 4-5 be withdrawn.

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In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Patrick W. Rasche", written over a horizontal line.

Patrick W. Rasche, Reg. No.: 37,916
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070